2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 February 2010

Original: English

New York, 3-28 May 2010

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Austria

Article I

1. Austria regards the Treaty on the Non-Proliferation of Nuclear Weapons as the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. Compliance with the undertaking by nuclear-weapon States Parties to the Treaty under article I is therefore of primary importance.

Article II

2. Austria continues to abide by its undertaking not to receive the transfer of, receive control over, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. This commitment is implemented through corresponding laws and regulations and has been enshrined in the constitutional law on a nuclear-free Austria since 1999.

Article III

Safeguards

3. Before Austria's accession to the European Union (EU), the requirement of article III, paragraph 1 was fulfilled by the safeguards agreement of 1972 between Austria and the International Atomic Energy Agency (IAEA). Upon accession to the EU in 1995, the safeguards agreement between the European Atomic Energy Community (EURATOM), the EU non-nuclear-weapon States and IAEA entered into force for Austria and the 1972 safeguards agreement was suspended.

4. Austria has always been, at all times, actively engaged in the process of strengthening the IAEA safeguards system, to which it attaches utmost importance.

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5. With regard to the Additional Protocol between EURATOM, the EU non-nuclear-weapon States and IAEA signed in September 1998, Austria concluded all necessary steps at the national level for its entry into force in 2001. The Additional Protocols for the EU member States entered into force simultaneously on 30 April 2004.

6. Starting with the safeguards implementation report for 2006, the IAEA secretariat has consistently concluded that in the case of Austria, all nuclear material continues to be used for peaceful purposes. Austria has implemented a State-level integrated safeguards approach since the beginning of 2008, which has led to a reduction in the frequency and activities of safeguards inspections.

7. Austria considers the Additional Protocol to be an integral part of the IAEA NPT safeguards system and holds the legal position that the conclusion of an additional protocol is mandatory under article III of the Treaty.

Export controls

8. Austria implements its obligation under article III, paragraph 2 of the Treaty, namely not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article, by controlling its exports in accordance with EU Council regulation 428/2009.

9. Austria is a member of both the Zangger Committee and the Nuclear Suppliers Group. From 1993 to 2005, the Zangger Committee was chaired by Fritz W. Schmidt of Austria. Under his chairmanship, the Committee launched an outreach programme and a website (www.zanggercommittee.org) to enhance transparency and foster dialogue with non-members.

10. In Austria's view, an effective export control system facilitates cooperation for peaceful purposes in the nuclear field.

Physical protection

11. Austria attaches great importance to a high level of physical protection of nuclear material and nuclear facilities. It actively participated in the Open-ended Group of Legal and Technical Experts convened by the Director General of IAEA to prepare a well-defined amendment to the Convention on the Physical Protection of Nuclear Material. In September 2003, the Austrian Foreign Minister took the initiative of submitting an amendment proposal based on the outcome of the Group of Experts to the IAEA Director General with a request to convene a diplomatic conference for its adoption. This amendment proposal was submitted to the IAEA Director General by Austria on behalf of 24 States parties in May 2004. Austria subsequently played a leading role in the consultations to convince the required half of all States Parties to the Convention to support the convening of a diplomatic conference, which finally took place from 4 to 8 July 2005. The diplomatic conference adopted the amendment to the Convention by consensus and Austria ratified the amendment on 18 September 2006. As at 1 February 2010, IAEA records showed that the amendment had 33 contracting States.

12. In Austria's view, physical protection is an integral part of the national nuclear security system that must be required as a condition for nuclear supplies.

Article IV

13. Following a referendum in 1978, Austria renounced the use of nuclear fission for power generation and does not operate nuclear power plants. In view of the high risks emanating from nuclear installations, Austria attaches utmost importance to international efforts to harmonize and steadily increase all aspects of nuclear safety and security. Austria is party to both the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and has actively participated in the review meetings of those Conventions. Austria is also party to the Convention on the Physical Protection of Nuclear Material and the amendment thereto.

14. Regarding the undertakings in article IV, paragraph 2, Austria is an active member of IAEA, collaborating on research and offering training opportunities in nuclear science and technology. Austria has consistently paid its full target share to the IAEA Technical Cooperation Fund and has cooperated on IAEA projects in developing countries. As a member of the European Union, Austria also contributes to a range of IAEA activities under EU joint actions.

Article V

15. The Final Document of the 2000 Review Conference affirms that the provisions of Article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Austria signed the CTBT on 24 September 1996, when it was opened for signature and deposited its instrument of ratification on 13 March 1998. From 2007 to 2009, Austria held the co-chairmanship, with Costa Rica, of the Article XIV Conference on Facilitating the Entry into Force of the CTBT. In that function, Austria organized and supported outreach activities, mainly in Latin America and the Caribbean, which led to further signatures and ratifications of the Treaty. Austria fully supports the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and its Provisional Technical Secretariat and attaches particular importance to the swift establishment of the Treaty's international verification system. Austria has one radionuclide laboratory (ATL03) at the Austrian Institute of Technology at Seibersdorf, which was certified as the first of 16 radionuclide laboratories worldwide in November 2001.

Article VI

16. Austria's objective has been, and remains, the complete elimination of nuclear weapons. Consequently, Austria continues to call upon all nuclear-weapon States to comply fully with their obligations under article VI. Austria accords high priority to the 13 practical steps towards nuclear disarmament agreed to at the 2000 Review Conference. While acknowledging and welcoming progress in the reduction of nuclear weapons, Austria urges nuclear-weapon States to fully implement all 13 practical steps, which serve as an important yardstick for measuring progress in the fulfilment of article VI.

17. In view of the obligations of all NPT parties to strive for general and complete disarmament, Austria is also a State party to the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Anti-Personnel Mine Ban Convention, the Convention on Certain Conventional Weapons and the Outer Space Treaty, and spares no efforts to fully implement them. Austria ratified the Convention on Cluster Munitions on 2 April 2009, as the sixth Contracting Party, and looks forward to its entry into force on 1 August 2010.

18. In 2009, Austria was among the six States chairing the Conference on Disarmament in Geneva, which agreed to include negotiations on a fissile material cut-off treaty in its programme of work. Furthermore, Austria contributes to general disarmament efforts through its function as Immediate Central Contact for the Hague Code of Conduct against Ballistic Missile Proliferation and its participation in the Missile Technology Control Regime.

Article VII

19. Austria welcomes and encourages progress to develop and implement nuclear-weapon-free zone agreements consistent with international law and internationally agreed criteria.

Article VIII

20. The indefinite extension of the NPT and accompanying decisions in 1995 included a commitment to a strengthened review process. In that regard, Austria attaches particular importance to enhancing the performance of and accountability under the Treaty, in particular by submitting reports on the implementation of the Treaty to meetings of the Preparatory Committee and to Review Conferences.

Article IX

21. Austria attaches high importance to the universalization of the Treaty and continues to urge India, Israel and Pakistan to accede unconditionally to the NPT as non-nuclear-weapon States, in accordance with article IX.

Article X

22. Austria deplored the announcement of the Democratic People's Republic of Korea, on 10 January 2003, of its intention to withdraw from the NPT. Austria continues to urge the Democratic People's Republic of Korea to reverse its decision and to comply fully with all nuclear non-proliferation norms, in particular with its obligations under the NPT safeguards agreement with IAEA, and to dismantle its nuclear weapons programme in a complete, verifiable and irreversible manner.